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# Continuing Problems with TERPS/Part 77 Surfaces

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# Protected Airspace Criteria



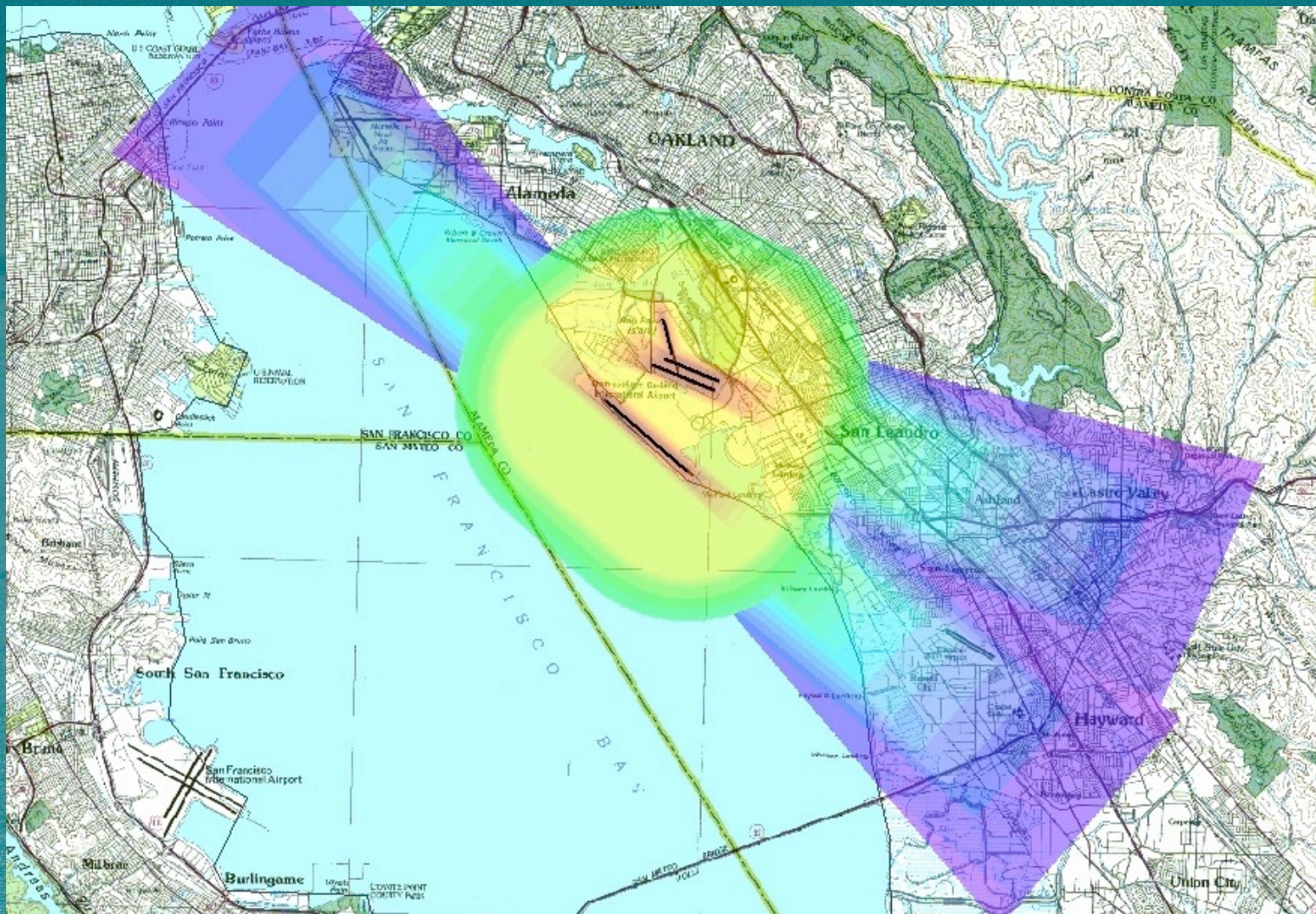
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- **FAR Part 77**
- **TERPS (Order 8260.3) and associated TILs**
- **Airport Design (AC 5300-13)**
- **Engine-Out Departure Procedures**
  - **FAA criteria**
  - **Individual airline criteria**
- **Local community land use controls**
- **Others**

## FAR Part 77 Surface (Exhibit 1)



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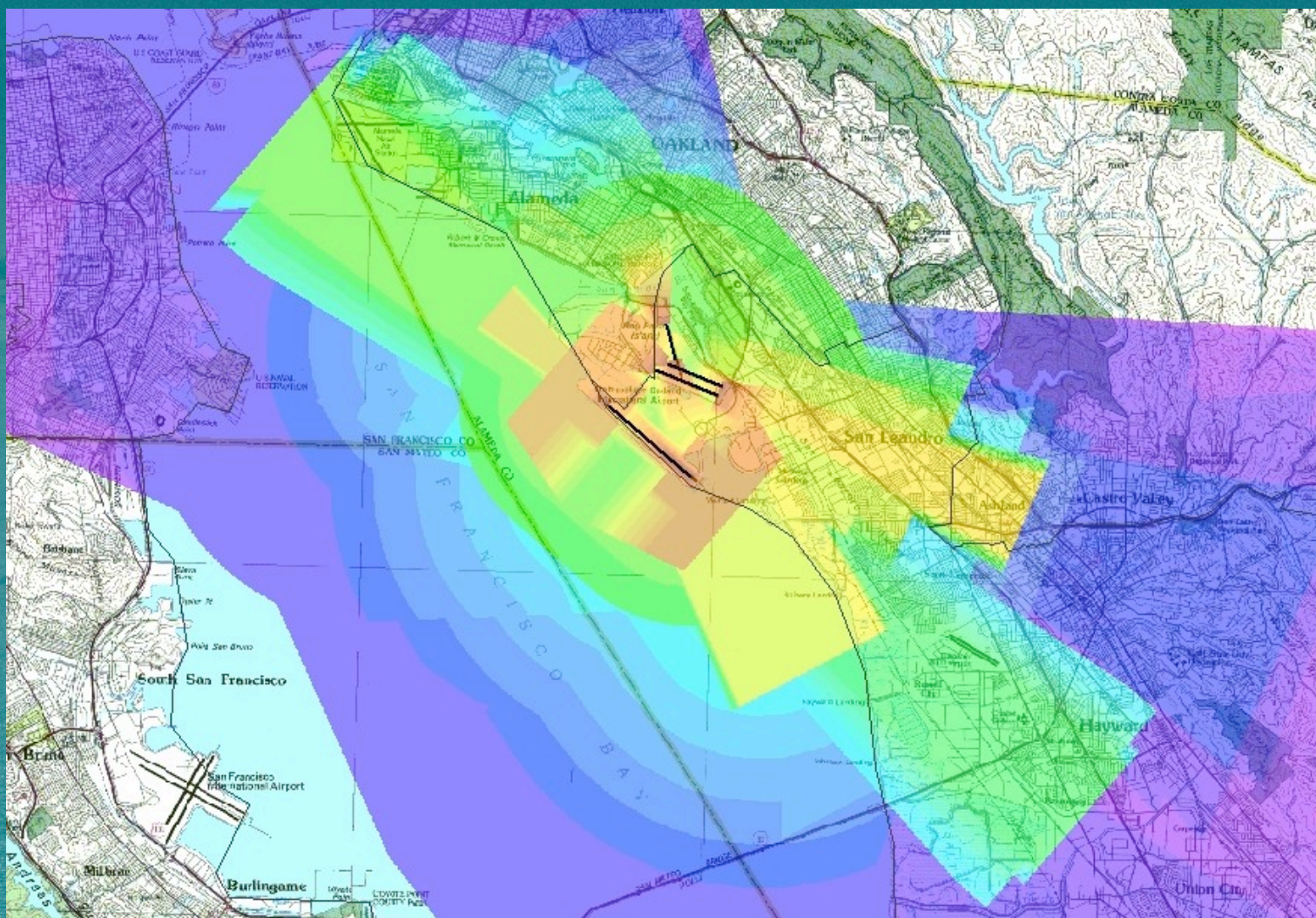
Source: Ricondo & Associates, Inc. and Towill, Inc.

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# TERPS Composite Obstruction Clearance Surface (Exhibit 2)



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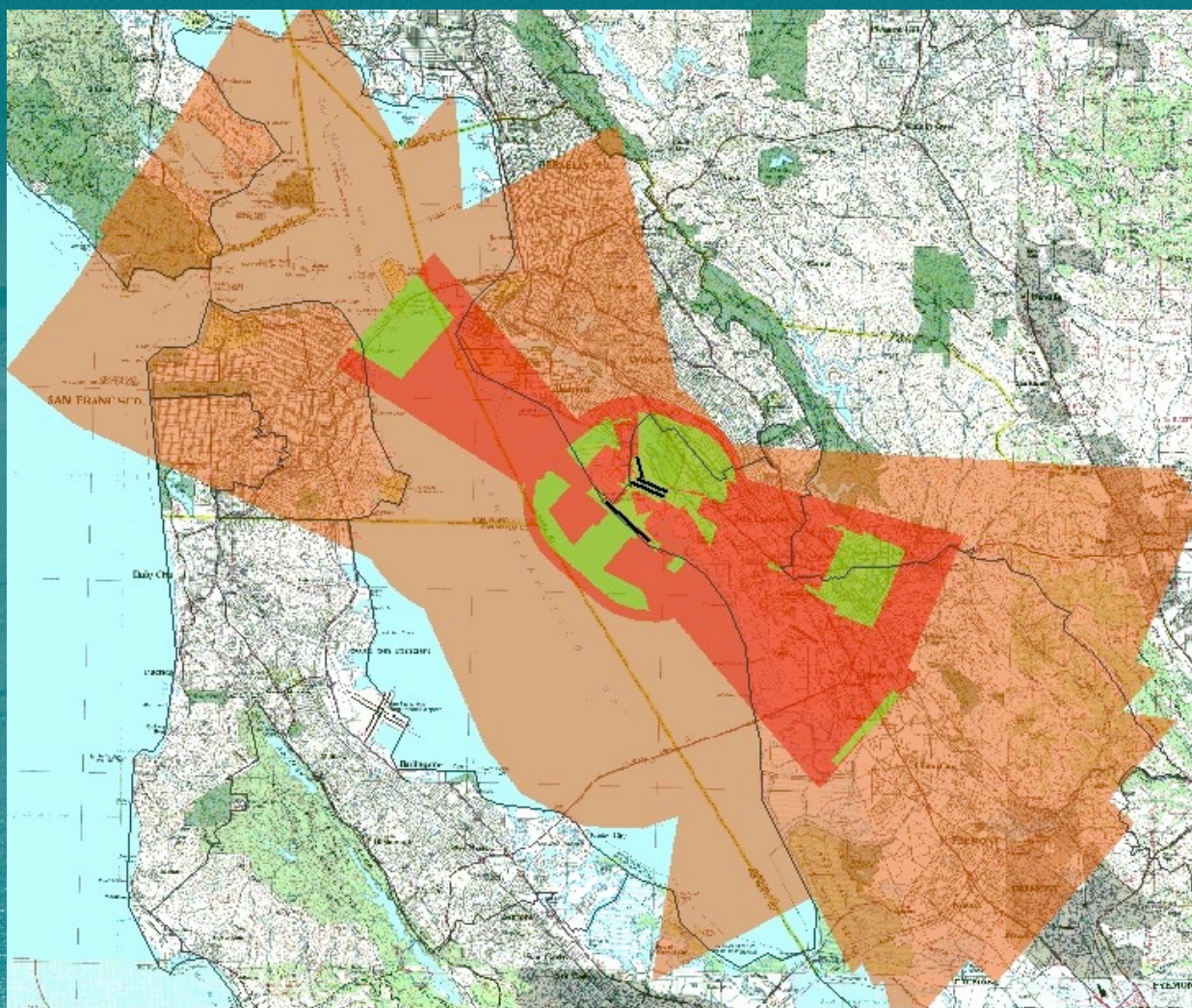
Source: Ricondo & Associates, Inc. and Towill, Inc.

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# Comparison of FAR Part 77 and TERPS (Exhibit 3)



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**FAR Part 77 is  
lowest surface**

**TERPS is lowest  
surface (within  
FAR Part 77  
coverage)**

**TERPS beyond FAR  
Part 77 coverage**

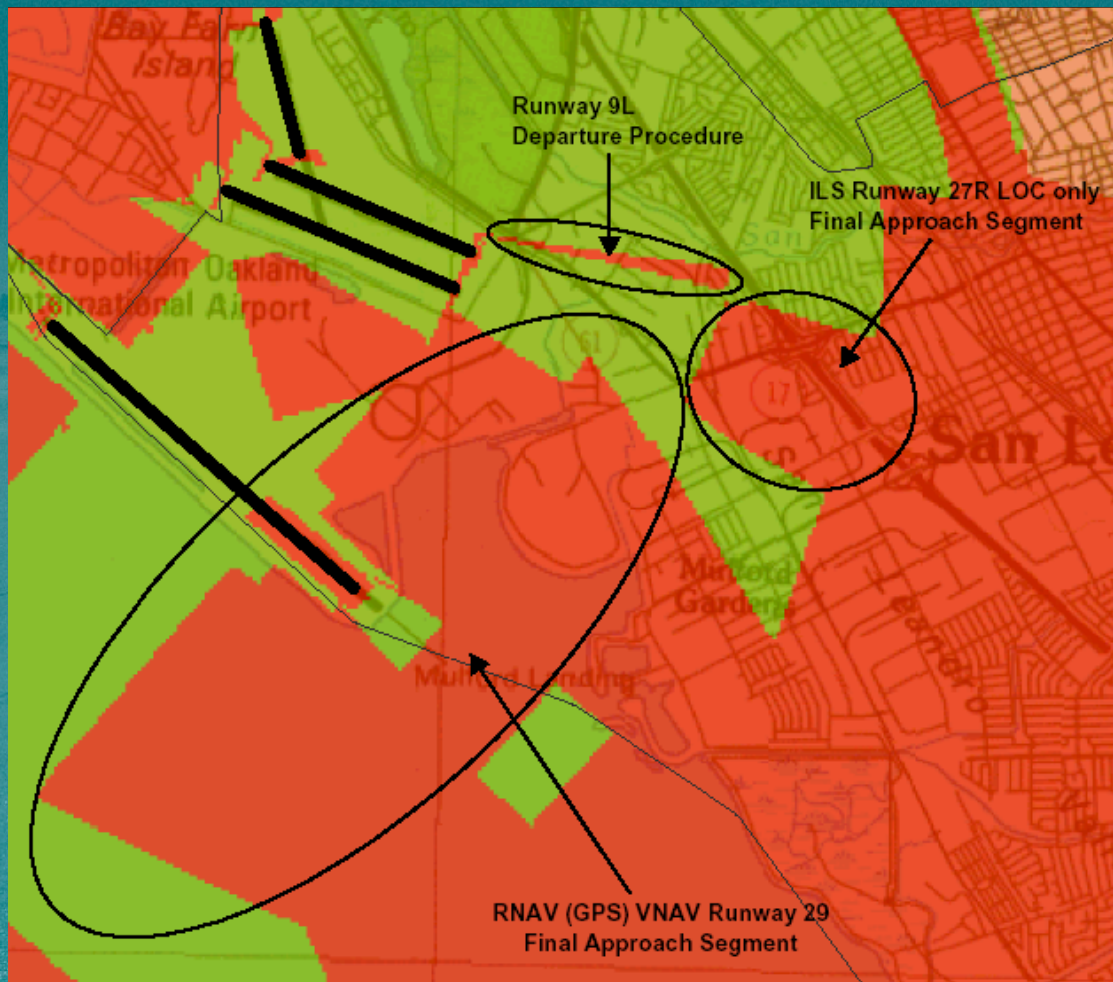
Source: Ricondo & Associates, Inc. and Towill, Inc.

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## Examples of TERPS Surface Lower than FAR Part 77 Surface (Exhibit 3)



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**FAR Part 77 is lowest surface**

**TERPS is lowest surface (within FAR Part 77 coverage)**

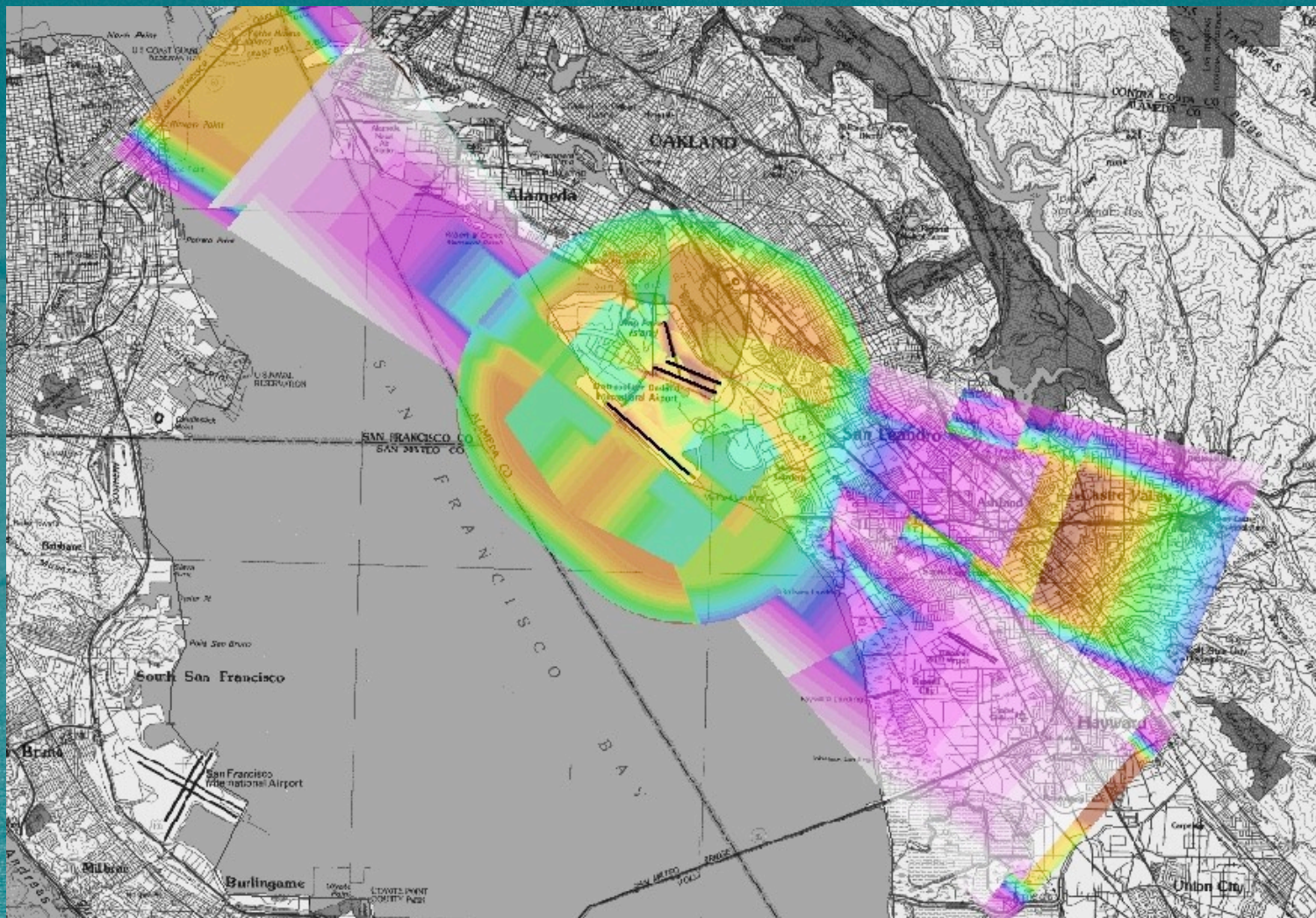
**TERPS beyond FAR Part 77 coverage**

Source: Ricondo & Associates, Inc. and Towill, Inc.

# FAR Part 77 and TERPS Difference (Exhibit 4)



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Source: Ricondo & Associates, Inc. and Towill, Inc.

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# Inconsistency Issues



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- **There is inconsistency between criteria**
  - **Different interpretations between FAA Regions, Divisions, and individuals**
  - **Planned airspace procedures are not always considered in FAA airspace determinations**
  - **Many FAA and airport staff are not aware of these issues when planning new facilities or policies (e.g., assume that consistency with FAR Part 77 and 5300-13 is sufficient)**
  - **Local land use controls are not consistent with criteria**
  - **Changes in one regulation or policy are not reflected in others**
  - **Periodic new/revised procedures changing protected airspace**
  - **FAR Part 77 is not current with existing policies, guidance and regulations**
  - **Some restrictions apply only to planned structures (It's an obstacle during planning but it won't be after it is built.)**
  - **Limited enforcement of protected airspace (If they build it, you may need to change your procedures to accommodate)**
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## Results of the Inconsistencies



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- **Redesign or cancellation of planned facilities (usually at time of implementation)**
- **Inability to expand/modify existing structures**
- **Increased minimums caused by changes in criteria**
- **Uncertain land use planning controls**
- **7460 process is being used as a planning tool**
- **Community litigation potential**
- **Unintended restrictions to aircraft operations (e.g., structure not a hazard but affects airline engine-out departure performance)**

## **Actions to Consider**



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- **Revise/update FAR Part 77 criteria to establish as the governing planning tool**
  - **Complete revision**
  - **Addition of specific components (e.g., departure surfaces)**
- **Abandon FAR Part 77**
- **Revise/relax TERPS criteria for select procedures**
- **Encourage the use of the FAR Part 77 notification surface (100:1 surface) for land use planning**
- **Establish FAR Part 77 as the governing or default obstacle clearance surface**
- **Provide airport sponsor perspective into Airport Obstructions Standards Committee (AOSC)**



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